

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA**

UNITED STATES OF AMERICA	*	CRIMINAL DOCKET NO. 02-CR-187
v.	*	SECTION: J
ANTHONY HICKMAN	*	
	*	
	*	

**FACTUAL BASIS**

If this case were to proceed to trial, the Government would prove the Defendant guilty beyond a reasonable doubt of Count One of the Indictment. The Defendant, ANTHONY HICKMAN, is charged with knowingly and intentionally possessing in and affecting commerce a firearm, after having been convicted of a crime punishable by imprisonment for a term exceeding one year; in violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2). The Government would establish the following through reliable and competent evidence:

1. On February 5, 2009, Sergeant David Liang of the New Orleans Police Department, received a radio dispatch call for service from Officer Dobard. Dobard informed Liang that an employee at the McDonald's restaurant located at 3321 St. Charles Avenue, New Orleans, Louisiana, saw a man inside the restaurant with a gun concealed in his waistband. The McDonald's employee reported that

the man was wearing black clothing and a brown hat, and when he was at the counter placing his food order, the gun fell from his waistband and onto the floor.

2. Shortly after receiving the dispatch, Liang arrived at the McDonalds and entered with Dobard to further investigate. Liang and Dobard observed a man fitting the description given by the McDonald's employee, and later identified as the defendant, ANTHONY HICKMAN, sitting in a booth. Liang approached HICKMAN and asked him to stand, raise his hands and turn toward the wall. Liang recovered a loaded silver .380 semi-automatic handgun from the right side waistband underneath HICKMAN's jacket.

3. Liang then placed HICKMAN under arrest for unlawfully possessing a firearm, a loaded Lorcin Model L380, .380 semi-automatic caliber pistol, serial number 259050.

4. At the time of the above-described arrest, HICKMAN had sustained two convictions for crimes punishable by imprisonment for terms exceeding one year: one, a conviction on January 8, 2003 in Criminal District Court for the Parish of Orleans, State of Louisiana, Docket Number 423-970, for possession of heroin, in violation of LA-R.S. 40:966 and two, a conviction on November 14, 2003 in Criminal District Court for the Parish of Orleans, State of Louisiana, Docket Number 441-045, for possession of heroin, in violation of LA-R.S. 40:966.

5. The above-mentioned Lorcin Model L380, .380 semi-automatic caliber pistol, serial number 259050 is a firearm as defined in Title 18, United States Code, Section 921(a)(3) by nature of the fact that it will, or is designed to, or may readily be converted to expel a projectile by the action of an explosive. Furthermore, it was not manufactured within the State of Louisiana, therefore, it affected interstate commerce at some point in time.

ANTHONY HICKMAN admits that he was in possession of the above-mentioned Lorcin Model L380, .380 semi-automatic caliber pistol, serial number 259050 on February 5, 2009, and he acknowledges that said conduct constitutes a knowing violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).

**READ AND ACCEPTED BY:**

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**ANTHONY HICKMAN** (date)  
Defendant

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**SHARAN E. LIEBERMAN** (date)  
Assistant United States Attorney

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**GEORGE CHANEY** (date)  
Attorney for the Defendant